

### **REMARKS**

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

#### **Rejections Under 35 USC 102**

Applicants traverse the rejection for anticipation for the following reasons. Firstly, the examiner rejected claims 1-3 for lack of novelty over Saunders and stated that the properties of Saunders would be inherent because the polymer is the same as the claims.

However, as the present inventors carried out experiments under the same conditions as Saunders (i.e., using TDI as a diisocyanate), it was found that a urethane polymer prepared by using TDI had a glass transition point (T<sub>g</sub>) of about 30°C, and did not have a T<sub>g</sub> of 40 to 150°C recited in claim 1. Applicants have attached a graph showing shear storage modulus (G'), shear loss modulus (G''), and loss tangent (tan delta) of the polymer against temperature. The peak of loss tangent shows the T<sub>g</sub>. Accordingly, applicants believe that claim 1 is not anticipated by Saunders, because they have shown that Saunders is different from the present claims.

Further, the cited references fail to teach or suggest how a shape memory polymer having a pot life of 30 minutes or longer and a T<sub>g</sub> of 40 to 150°C is produced. Accordingly, applicants believe that it would not have been obvious to one of ordinary skill in the art to produce a shape memory polymer according to claim 1 on the basis of the polymer described in Saunders.

#### **Rejections Under 35 USC 103**

Applicants believe that the present claims have overcome the outstanding rejections for obviousness.

### **Conclusion**

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested. The

examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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By  \_\_\_\_\_

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# APPENDIX

